

### REMARKS

The Office Action of July 9, 2008 has been received and its contents carefully considered.

The present Amendment cancels claims 1-7 and 14-16. It also revises claim 8 to assert, in the body of the claim, that the playing platform is actuated. In addition, the present Amendment adds new dependent claims 18 and 19. Claim 18 is supported (for example) by the passage at page 4 of the application, lines 4-7. Claim 19 is supported (for example) by steps 200 and 210 in Figure 2 and by the passage at page 6, lines 7-12.

Section 2 of the Office Action rejects all of the claims as being directed to non-statutory subject matter, and section 3 rejects some of the claims on the same ground a second time. These rejections are respectfully traversed for the reasons discussed below.

The Office Action comments, "While claims 8-13 and 17 do recite a computer platform in the preamble of the claim, such step is not a sufficient tie if the computer platform is not being used in some positive manner." However, it is respectfully submitted that the system disclosed in the present application does indeed have utility and can be used in a "positive manner." The specification discloses that the platform includes a user control interface 110, a playing module 120, a learning module 130, and an event trigger module 140, with the user control interface 110 allowing a user to choose and execute commands using control keys with different functions. Since the control interface 110 is an element of the platform and includes control keys, which are clearly physical structure, it is respectfully submitted that the system described by the disclosure includes physical structure and that the invention defined by independent claim 8 provides a sufficient tie to physical structure.

Furthermore, independent claim 8 now recites that a "playing platform" is activated, as mentioned above. It is respectfully submitted that an ordinarily skilled person would recognize that a "playing platform" is tangible, and not a mere idea or expression of a law of nature or an intangible behind the reach of the US patent laws.

Since claim 8 is statutory for the reasons discussed above, its dependent claims are also statutory. It is nevertheless noted that dependent claim 17 is directed to a "computer-readable medium" that stores the progressive language learning method combined with a computer game that is recited in claim 8. A computer-readable medium is clearly statutory. Furthermore, new dependent claim 18 recites that the playing platform comprises "a user control interface that includes a plurality of manually operable keys." It is respectfully submitted that this, too, constitutes a recitation of physical structure.

The Office Action reject all of the claims for anticipation by US patent 6,435,877 to Wasowicz. This rejection is also respectfully traversed.

Claim 8 now recites the step of "activating the playing platform to start a game and determining a playing mode and a learning mode." That is, the playing mode and learning mode are determined in the same step as the activation of a playing platform to start the game.

Wasowicz discloses training tools disguised as games, so that a child who plays the games can improve his linguistic skills without even realizing it (see column 6 of the reference, lines 56-64).

Wasowicz adjusts his learning mode (that is, the level of difficulty) during the course of play (see, for example, Figure 27 of the reference, or the passage at column 17, lines 19-55). It is respectfully submitted that the reference neither discloses nor suggests determining a playing mode and a learning mode together when a playing platform is actuated to start the game.

In addition, new dependent claim 19 specifically recites that "the playing mode and the learning mode are determined before the playing process is started." Wasowicz, though, intermingles determination of the learning mode with playing of the game.

For the foregoing reasons, it is respectfully submitted that claim 8 is patentable over Wasowicz. Since its dependent claims incorporate the features of claim 8 and add additional features to further define the invention, they are automatically patentable along with claim 8.

Furthermore, it is respectfully submitted that dependent claim 19 would be patentable over Wasowicz even if claim 8 were not (despite the above argument to the contrary).

Reconsideration of this application is therefore respectfully requested.

Respectfully submitted,



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